

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q91757

Keijitsu TANAKA, et al.

Appln. No.: 10/565,554

Group Art Unit: 1645

Confirmation No.: 2075

Examiner: Khatol S. Shahnan Shah

Filed: January 23, 2006

For: METHOD OF DIAGNOSING WOOD DECAY AND DECAY DIAGNOSTIC AGENT

**RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

With respect to the Restriction Requirement, Applicants elect Group II, claims 9-18 (drawn to an agent and a kit), for prosecution, without traverse. Applicants reserve the right to file a Divisional Application directed to the non-elected subject matter.

With respect to the Election of Species Requirement, Applicants elect the *Fomitopsis palustris* as the species of fungi as disclosed in claims 10 and 11, without traverse.

Claims 9-18 read thereon.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Abraham J. Rosner  
Registration No. 33,276

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: April 30, 2008